IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3772 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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ABEDABIBI MOHMED YUNUS MALEK

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 3772 of 2002

MR SUNIL C PATEL for Petitioner No. 1

MR DN PATEL for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 19/04/2002

ORAL JUDGEMENT

#. Rule. Mr.Shah for Mr.Patel waives service of rule for the respondents. With the consent of the parties, the matter is taken up for final hearing today.

#. The petitioner is a passport holder and in her original passport, her birth date is mentioned as 1.6.1953. However, subsequently, the petitioner realised that, her real birth date is 25.7.1952 and accordingly, she made the representation to the passport authority for correcting the birth date. However, according to her, no decision is yet taken in this behalf. According to the petitioner, as per the birth certificate which is at page 15, her correct birth date is 25.7.1952. The petitioner therefore prays that the passport authority may be directed to issue fresh passport after correcting the birth date. Considering the submission of the petitioner and considering the documentary evidence on the record of the case, it is directed that the passport authority may reconsider the aforesaid question again and may consider the evidence produced by the petitioner. If the passport authority is satisfied regarding the date of birth of the petitioner may pass appropriate order correcting the date of birth of the petitioner after considering the evidence on the record of the case and may issue fresh passport after correcting the date of birth of the petitioner. Since the petitioner has not taken care earlier by producing cogent material, the petitioner is directed to pay costs of Rs.2000/- (Rupees two thousand only). The said amount of costs is to be deposited with the passport authority within two weeks from today.

#. In view of what is stated above, this petition is allowed. Rule is made absolute to the aforesaid extent with costs as quantified above. D.S.Permitted.

(P.B.Majmudar,J)
(pathan)